

AMENDED IN ASSEMBLY MAY 4, 2005

AMENDED IN ASSEMBLY APRIL 18, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 246

Introduced by Assembly Members Walters and Umberg

February 7, 2005

An act to add Section 805.1 to the Penal Code, relating to the limitation of actions.

LEGISLATIVE COUNSEL'S DIGEST

AB 246, as amended, Walters. Statutes of limitation: accessory to felony.

Existing law specifies the periods of limitation during which prosecution for specified crimes shall be commenced.

This bill would provide that the period of limitation for prosecution of a person charged as an accessory to a felony would be *the same period of limitation as the felony offense to which the defendant is charged with being an accessory, or 5 years, whichever is less*.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 805.1 is added to the Penal Code, to
- 2 read:
- 3 805.1. Notwithstanding Section 801, or any other provision of
- 4 law, a prosecution for being an accessory to a felony pursuant to
- 5 Section 32 shall be commenced ~~within five years~~ *the same period*
- 6 *of limitation as the felony offense to which the defendant is*

1 *charged with being an accessory, or five years, whichever is less*
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